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Via Certified Mail: 7003 2260 0002 6559 2241

June 4, 2004

RUTGERS Organics Corporation

Associate Administrator for Hazardous Materials Safety
Research and Special Programs Administration
U.S. Department of Transportation
400 Seventh Street, SW
Washington, DC 20590-0001
Attention: Exemptions, DHM-31

U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF HAZARDOUS MATERIALS
04 JUN 14 PM 12:20

Dear Sir or Madam:

On February 23, 2004, RUTGERS Organics Corporation (ROC) applied for an exemption from certain DOT Hazardous Materials Regulations for movements of materials across Paddy's Run Road in Harrison, OH. This letter contains follow-up information in support of the above application, as requested by Mr. Steve Hwang of US DOT on April 13, 2004.

- 1) Issue: Exemptions are granted for a maximum of two years, after which grantees must apply for exemption renewal.

Response: ROC requests that the proposed exemption be granted for the maximum two years.

- 2) Issue: A description of how non-bulk materials will be marked and labeled must be provided.

Response: Non-bulk containers of ROC products will carry standard ROC shipping labels, which contain the proper shipping name, hazard class(es), UN number, packing group, and hazard class label(s) of the material contained, as well as OSHA hazard communication warnings. All other non-bulk containers will be marked, at a minimum, with a description of the material contained and the hazard information required by applicable regulations under OSHA or RCRA.

- 3) Issue: A list of proper shipping names for the materials to be transported under the requested exemption must be provided.

Response: ROC may transport the following materials across Paddy's Run Road:

- Aryl sulfonic acids, liquid with ≤ 5 percent free sulfuric acid
- Benzene sulfonyl chloride

201 Struble Road
State College, PA 16801

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Member of the RUTGERS Chemicals Group

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- Corrosive liquid, acidic, inorganic, n.o.s. (Phosphoric acid)
- Corrosive liquid, acidic, organic, n.o.s. (Organic phosphate esters, Phosphoric acid)
- Environmentally hazardous substances, liquid, n.o.s. (Diethanolamine)
- Environmentally hazardous substances, liquid, n.o.s. (Naphthalene)
- Environmentally hazardous substances, liquid, n.o.s. (Sodium dodecylbenzene sulfonate)
- Environmentally hazardous substances, liquid, n.o.s. (Triethanolamine dodecylbenzene sulfonate)
- Flammable liquids, corrosive, n.o.s. (Butanol, Phosphoric acid, and/or Organic phosphate esters)
- Flammable liquids, corrosive, n.o.s. (Isopropyl alcohol, Toluenesulfonic acid)
- Flammable liquids, corrosive, n.o.s. (Toluene, Toluenesulfonic acid)
- Hazardous Waste, Liquid, n.o.s. (Xylene, Toluene, Isopropylbenzene, and/or Ethylbenzene)
- Hazardous Waste, Solid, n.o.s. (Xylene, Toluene, Isopropylbenzene, and/or Ethylbenzene)
- Isopropyl alcohol
- Isopropylbenzene
- Toluene
- Waste Corrosive Liquid, acidic, organic, n.o.s. (Dodecylbenzenesulfonic acid, Toluenesulfonic acid)
- Waste Corrosive Liquids, n.o.s. (Sulfuric acid, Dodecylbenzenesulfonic acid, and/or Toluenesulfonic acid)
- Waste Corrosive Solid, acidic, organic, n.o.s. (Dodecylbenzenesulfonic acid, Toluenesulfonic acid)
- Waste Flammable Liquids, n.o.s. (Xylene, Toluene, Isopropylbenzene, and/or Ethylbenzene)
- Waste Flammable Solids, corrosive, organic, n.o.s. (Xylene, Toluene, Isopropylbenzene, and/or Ethylbenzene; Sulfuric acid, Dodecylbenzenesulfonic acid, and/or Toluenesulfonic acid)
- Waste Mercury
- Waste Solids containing corrosive liquid, n.o.s. (Sulfuric acid, Dodecylbenzenesulfonic acid, and/or Toluenesulfonic acid)
- Xylenes

4) Issue: An estimated frequency of movements must be provided.

Response: The frequency of hazardous materials movements across Paddy's Run Road is dependent upon business conditions at the Harrison, OH plant. However, it is expected that movements across Paddy's Run Road will occur several times per week.

5) Issue: The length of time that vehicles carrying hazardous materials will be on Paddy's Run Road under the proposed exemption must be provided.

Response: Each movement of hazardous materials under the proposed exemption will require the transport vehicle to be on Paddy's Run Road for no more than five minutes at a time.



For your information, I have faxed a copy of this follow-up letter to Mr. Hwang's attention in order to expedite review. Should you have any questions or require additional information regarding the proposed exemption, please do not hesitate to contact me at (814) 231-9212 or Mary Jo Smith, Regulatory Affairs Specialist, at (814) 231-9277.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori McGarry". The signature is fluid and cursive, with the first name "Lori" and last name "McGarry" clearly distinguishable.

Lori McGarry
Corporate Environmental Engineer

cc: F. Canepa
C. Deskins
R. Murphy
J. Gazza
M. Smith
S. Hwang, US DOT (via fax)